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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91200183
Party	Defendant Miss G-String International LLC
Correspondence Address	MISS G-STRING INTERNATIONAL LLC 1420 SUNNINGDALE LANE ORMOND BEACH, FL 32174 UNITED STATES
Submission	Answer
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Date	07/19/2011
Attachments	Eadie - Applicant's Answer to Opposer's Notice of Opposition 7-19-11.pdf (34 pages)(1172563 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 77/753,000

Published in the *Official Gazette* on December 07, 2010

THE WORLD'S PAGEANTS, LLC,

Opposer,

- against -

MISS G-STRING INTERNATIONAL LLC,

Applicant.

Index No.: ESTTA412971

**APPLICANT'S ANSWER TO
OPPOSER'S NOTICE OF
OPPOSITION**

July 19, 2011

APPLICANT'S ANSWER TO OPPOSER'S NOTICE OF OPPOSITION

In response to the Notice of Opposition issued by the Board on June 06, 2011, MISS G-STRING INTERNATIONAL LLC ("Applicant") hereby responds to THE WORLD'S PAGEANTS, LLC ("Opposer") as follows:

1. Opposer claims it has been in the business of providing entertainment services, including advertising, promoting and conducting beauty pageants, and has used the mark "MISS NUDE INTERNATIONAL" in interstate commerce well prior to Applicant's filing date. The Applicant challenges this statement and would deny same.
2. Opposer claims it is the assignee of U.S. Registration No. 2,037,202 issued February 11, 1997, for the mark "MISS NUDE INTERNATIONAL" for entertainment services in the nature of promoting and conducting beauty pageants in International Class 041. Applicant disputes that "this registration is valid, incontestable and enforceable," due to legal deficiencies in the assignment and deficiencies in the legal existence of the Opposer's corporate entities, and denies same.

3. Opposer claims that, as a result of the use, promotion and advertising of Opposer's "MISS NUDE INTERNATIONAL" mark for the services identified above, Opposer's mark has acquired significant goodwill. Opposer claims that the "MISS NUDE INTERNATIONAL" mark identifies and distinguishes its services from the services of others. Applicant categorically denies these statements as a valid basis for opposition.
4. The Opposer is correct that, on June 5, 2009, Applicant filed an application for the mark "MISS G-STRING INTERNATIONAL" for services as follows: "Entertainment services in the nature of conducting beauty pageants and talent contests," in International Class 041. This is admitted.
5. Applicant denies that there is any similarity of Applicant's "MISS G-STRING INTERNATIONAL" mark to Opposer's "MISS NUDE INTERNATIONAL" mark. No such similarity is evident from a simple comparison of the marks, since there are scores of marks with similar language, and the services for which Applicant's mark is intended to be used are not closely related to Opposer's services.
6. Opposer states that, in view of the similarity of the respective marks and the related nature of the services of the respective parties, it is alleged that Applicant's mark so resembles Opposer's mark as to be likely to cause confusion or to cause mistake or to deceive. Applicant denies these statements.
7. Applicant denies that the use of the mark sought to be registered by Applicant is likely to cause confusion or mistake in the minds of consumers and lead consumers and prospective purchasers to believe Applicant's services as designated are services of Opposer, or in some way backed by, sponsored by, franchised by, approved by, associated with, or otherwise connected with the good name and reputation of Opposer, to the

damage and injury of the purchasing public, and to the damage and injury of Opposer and its goodwill in the "MISS NUDE INTERNATIONAL" mark. This is denied.

8. Applicant denies that Opposer will be injured and damaged by the granting to Applicant of the registration for the mark for which registration is sought because such mark, when applied to the services of Applicant:

a. Applicant denies that it, 'is likely to cause confusion or to cause mistake or to deceive;'

b. Applicant denies that it, "falsely suggests a connection with Opposer, giving Applicant the unqualified right to pass off its services as those of Opposer;"

c. Applicant denies that it, "will damage Opposer's valuable goodwill in its 'MISS NUDE INTERNATIONAL' mark;" and

d. Applicant denies that it, "threatens Opposer's right to expand the scope of use of its marks to related, analogous or equivalent items and results in injury to Opposer's established rights in and to its marks.

AFFIRMATIVE DEFENSES

In further answer to the Notice of Opposition, Applicant asserts the following Affirmative Defenses:

FIRST AFFIRMATIVE DEFENSE

Opposer's Notice of Opposition fails to state a claim upon which relief can be granted, and in particular, fails to state legally sufficient grounds for sustaining the opposition.

SECOND AFFIRMATIVE DEFENSE

The terms "MS. NUDE INTERNATIONAL" and "MS. G-STRING INTERNATIONAL," to the extent they use the terms "MISS" and "INTERNATIONAL," are highly diluted as a trademark formative, and hence weak, and Opposer's purported rights extend no further than to the specific marks which Opposer alleges as it owns, none of which are the same as or confusingly similar to Applicant's marks in terms of connotation, appearance and/or pronunciation.

Attached hereto as Exhibit "A." is a Trademark Electronic Search System (TESS) search for marks using "Miss" and "International," and there are 73 marks using those qualifying terms, over half of which are "live."

THIRD AFFIRMATIVE DEFENSE

Applicant's use of its mark will not mistakenly be thought by the public to derive from the same source as Opposer's goods, nor will such use be thought by the public to be used by Opposer or with the Opposer's authorization or approval. To be abundantly clear, the marks "MISS G-STRING INTERNATIONAL" and "MISS NUDE INTERNATIONAL" are not confusingly similar. Factoring the scores of marks beginning with "Miss" and ending in "International," the concepts of a "G-String" and being "Nude" are mutually exclusive and irreconcilable. A woman's "G-String" undergarment is clothed; "NUDE" connotes a complete lack of any clothing, totally.

FOURTH AFFIRMATIVE DEFENSE

Applicant's mark, in its entirety, is sufficiently and distinctively different from Opposer's mark to avoid confusion, deception or mistake as to the source or sponsorship or association of Applicant's goods. The description of the marks "MISS NUDE INTERNATIONAL," is described as: "typed drawing." The description of the mark for "MISS NUDE INTERNATIONAL" is described as "the color(s) white, yellow gold, pink and black is/are claimed as a feature of the mark. The mark consists of the stylized wording 'MISS G-STRING INTERNATIONAL' with the word 'G-STRING' in yellow gold. The word 'MISS' in white is above the word 'G-STRING' and the word 'INTERNATIONAL' in white is below the word 'G-STRING.' All of the wording is outlined in black. All of the words are superimposed upon a woman's pink undergarment."

FIFTH AFFIRMATIVE DEFENSE

Applicant's mark, when used on Applicant's goods, is not likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection or association of Applicant with Opposer, or as to the origin, sponsorship, or approval of Applicant's goods by Opposer. As set forth above, the concepts of a "G-String" and being "Nude" are mutually exclusive and irreconcilable. A woman's "G-String" undergarment is clothed; "NUDE" connotes a complete lack of any clothing, totally. Any claim that there is a likelihood of confusion between "NUDE" and "G-String" under Section 2(d) is without merit. In finding a likelihood of confusion between marks, the board considers the similarity of the marks, goods and services, and similarity of trade channels of the goods and services.¹ Even identical names could be validly registered

¹ *In re Opus One, Inc.*, 60 USPQ2d 1812 (TTAB 2001); *In re Azteca Rest. Enters., Inc.*, 50 USPQ2d 1209 (TTAB 1999).

as trademarks without any risk of confusion so long as they are for different goods and services, as identified in the Applicant's application and registrant's registration.² Indeed, there is no evidence of a plausibly conceivable relationship between "NUDE" and "G-String". Even applying the "something more" test found in *Opus One* and *Jacobs v. International Multifoods Corporation*, which requires a finding of an extremely arbitrary mark being used in relation to a similar or complementary good or service, the marks are unlikely to be confusingly similar.³ Additionally, there is no complementary relationship between the two marks. The dissimilarities between these marks and respective relationships with their relevant markets are substantial enough to ensure there will be no likelihood of confusion within the consuming public. Based on the evidence, there is no risk of confusion as to any aspect of "NUDE" and "G-String" comprising the same or similar goods, services or relevant markets under Section 2(d).

SIXTH AFFIRMATIVE DEFENSE

As an additional affirmative defense, the legal status of the holder of the mark, and the professional status of the mark holder's attorney, are deserving of scrutiny. To fully explain the facts supporting this affirmative defense, the following sequence of facts and exhibits are helpful:

1. Applicant is MISS G-STRING INTERNATIONAL LLC, (hereinafter "MGSI") a State of Florida Limited Liability Company formed on 04/23/09, having its principal place of business at 1420 Sunningdale Lane, Ormond Beach, FL 32174. (Exhibit B).

2. MGSI first used the mark "MISS G-STRING INTERNATIONAL" in commerce on 04/29/09 and filed an application to register the mark "MISS G-STRING INTERNATIONAL" with the USPTO on 06/05/09. (Exhibit C).

3. Opposer is THE WORLDS PAGEANTS, LLC, (hereafter TWP) a State of Florida Limited Liability Company formed on 05/05/09, having its principal place of business at 1005 Mabbette Street, Kissimmee, FL 34741. (Exhibit D).

4. A search of THE WORLDS PAGEANTS, LLC with the State of Florida Department of State, Division of Corporations, lists John Witges of 1005 Mabbette Street, Kissimmee, FL 34741 as the "Managing Member". (Exhibit D).

² *Opus One*, 60 USPQ2d at 1812 citing *Canadian Imperial Bank of Commerce v. Wells Fargo Bank, N.A.*, 811 F.2d 1490, 1 USPQ2d 1813 (Fed. Cir. 1987).

³ *Opus One*, 60 USPQ2d at 1812; *Jacobs v. Int'l Multifoods Corp.*, 688 F.2d 1234, 212 USPQ 642 (CCPA 1982).

5. The State of Florida Department of State, Division of Corporations lists TWP as "Inactive, Admin Dissolution for Annual Report," filed on 09/24/10. (Exhibit D).
6. TWP is not the registered owner of the mark "MISS NUDE INTERNATIONAL" but, in the Notice of Opposition, it attests that it is the assignee of the mark. (Exhibit E / Page 2, Paragraph 2).
7. R&D PROMOTIONS, INC. (hereinafter "RDP"), a Florida Corporation, is the registered owner of the mark "MISS NUDE INTERNATIONAL" with the U.S. Registration No. 2,037,202. (Exhibit F).
8. RDP was formed on 12/04/00 and lists Gracinda Cardoso of 1473 Heather Way, Kissimmee, FL 34744 as President. (Exhibit F).
9. Attorney Thomas T. Aquilla is the Attorney of Record for both RDP & TWP. (Exhibits E, G, H, I, and J).
10. The State of Florida Department of State, Division of Corporations lists RDP as "Inactive, Admin Dissolution for Annual Report," filed on 09/16/05. (Exhibit F). The State of Florida Department of State, Division of Corporations has provisions to reinstate an administratively dissolved entity; however, these provisions are no longer available and RDP cannot be reinstated.
11. RDP omitted to disclose to the USPTO that RDP was not a legal entity, and had not been a recognized legal entity since September 16, **2005**. (Exhibit F).
12. RDP omitted to disclose to the USPTO that RDP was not a legal entity and had not been a recognized legal entity since September 16, **2005**, at the time the USPTO renewed the mark "MISS NUDE INTERNATIONAL" on 04/16/07. (Exhibit G).
13. RDP filing for the first renewal of the mark "MISS NUDE INTERNATIONAL" with U.S. Registration Number 2037202 with the USPTO is asserted as being invalid, since the holder of the mark was a corporation not in lawful existence when renewal was effected. (Exhibit G).
14. It is respectfully asserted that RDP abandoned the mark "MISS NUDE INTERNATIONAL" on 09/16/05. (Exhibit F).
15. It is respectfully asserted that RDP cannot transfer or assign the mark "MISS NUDE INTERNATIONAL" to TWP after its date of dissolution by the State of Florida, Division of Corporations on 09/16/05. (Exhibit F).

16. It is respectfully asserted that the alleged assignee TWP does not have standing to oppose the mark "MISS G-STRING INTERNATIONAL" since TWP does not have a valid assignment of the mark "MISS NUDE INTERNATIONAL" as TWP was not formed until 05/05/09, (Exhibit D), long after the administrative dissolution of RDP on 09/16/05 (Exhibit F).
17. TWP cannot register a valid assignment of the mark "MISS NUDE INTERNATIONAL" with the USPTO, as RDP constructively abandoned the mark on 09/16/05. (Exhibit F).
18. TWP is not a legal entity now (Exhibit D), nor was it a legal entity at the time it filed the first (1/6/11) second (2/3/11) and third (4/4/11) extensions of time to oppose and its Notice of Opposition. (Exhibits H, I, and J).
19. TWP and its Attorney Thomas T. Aquilla filed their NOTICE OF OPPOSITION with malice of forethought by attesting to an invalid assignment of mark, U.S. Registration No. 2,03,202. (Exhibit G).
20. MGSI first used the mark "MISS G-STRING INTERNATIONAL" in commerce on 04/29/09. (Exhibit C).
21. TWP first used the mark "MISS NUDE INTERNATIONAL" in commerce not earlier than 05/05/09, the date that TWP registered with the State of Florida Department of State, Division of Corporations. (Exhibit D).
22. MGSI has Prior Use of the mark "MISS G-STRING INTERNATIONAL," occurring before any use asserted by TWP for the use of "MISS NUDE INTERNATIONAL." (See Exhibits C and D).
23. Attorney Thomas T. Aquilla is the Attorney of Record for TWP. (Exhibits E, G, H, I, and J).
24. Attorney Thomas T. Aquilla's address is 221 Coe Hill Road, Center Harbor, NH 03226. (Exhibits E, G, H, I, and J).
25. Attorney Thomas T. Aquilla was suspended from the practice of law in New Hampshire on 01/06/11 and reinstated April 26, 2011. (Exhibit K).
26. It is respectfully asserted that Thomas T. Aquilla was not lawfully authorized or licensed by the New Hampshire Bar Association to act as an attorney when he filed first (1/6/11), second (2/3/11), and third (4/4/11) extensions of time to oppose (Exhibits H, I, and J), having not been reinstated until 04/26/11. (Exhibit K).

27. Additionally, the TWP third request for extension of time to oppose MGSI Trademark Application required the approval of applicant, MGSI.

28. MGSI would have declined the third request for extension of time to oppose, filed by its suspended Attorney Thomas T. Aquilla on 04/04/11.

29. TWP did not make a request to obtain the approval of MGSI for the third request for extension of time to oppose MGSI Trademark Application.

30. TWP fraudently claimed extraordinary circumstances by its suspended Attorney Thomas T. Aquilla claiming the TWP principal was out of the country attending to an ill family member, to circumvent MGSI approval rights.

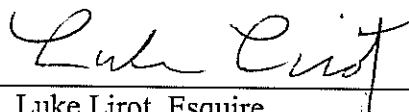
31. The TWP filings for extension of time to oppose MGSI trademark application must be filed by an Attorney legally permitted to practice law. Since Mr. Aquilla was suspended from the practice of law in New Hampshire, it would appear that the TWP filings for extensions of time to oppose to MGSI trademark application are invalid.

32. Based on the foregoing procedural defects, it is asserted as a full and complete affirmative defense that the corporate entity asserting opposition to the mark "MISS G-STRING INTERNATIONAL" is defective because of the timing of its creation and dissolution, thus casting doubt on Opposer's standing to oppose the acknowledgement of Applicant's mark, as well as having been represented by a suspended attorney.

RELIEF REQUESTED

WHEREFORE, Applicant respectfully requests that this Opposition be dismissed, with prejudice and that the registration sought by Application Serial No. 77/753000 for the mark "MISS G-STRING INTERNATIONAL" be allowed to proceed to registration.

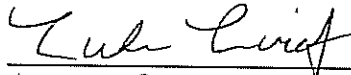
Respectfully Submitted:

By:  Dated: July 19, 2011
Luke Lirot, Esquire
Florida Bar Number 714836
LUKE CHARLES LIROT, P.A.
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Telephone: (727) 536-2100
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Attorneys for the Applicant

CERTIFICATION OF ELECTRONIC FILING

I hereby certify that the attached APPLICANT'S ANSWER TO OPPOSER'S NOTICE OF OPPOSITION was filed electronically with the Trademark Trial and Appeal Board on July 19, 2011.

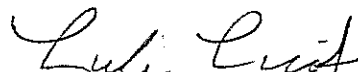


Attorney for Applicant
Signed July 19, 2011

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing APPLICANT'S ANSWER TO OPPOSER'S NOTICE OF OPPOSITION has been served on Thomas T. Aquilla, Esq., domestic representative of THE WORLDS PAGEANTS LLC as Registrant's Attorney of Record and Correspondence as listed in the TARR system as of this date by mailing said copy on July 19, 2011, via First Class Mail, postage prepaid to:

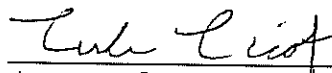
Thomas T. Aquilla, Esq.
221 Coe Hill Road
Center Harbor, New Hampshire, 03226



Attorney for Applicant
Signed July 19, 2011

Designation of Domestic Representative

Attorney Luke Lirot, Esq., whose postal address is 2240 Belleair Rd., Suite 190, Clearwater, FL 33764, is hereby, designated MISS G-STRING INTERNATIONAL, LLC's representative upon whom notice or process in this proceeding may be served.



Attorney for Applicant
Signed July 19, 2011



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1	85358972		MISS SHOWGIRL INTERNATIONAL	TARR	LIVE
2	85168313		MISS INTERNATIONAL TOURISM	TARR	LIVE
3	85225435		MISS TEEN INTERNATIONAL COMPETITION	TARR	LIVE
4	85331628		MR & MISS LATIN INTERNATIONAL BEAUTY PAGEANT	TARR	LIVE
5	85074118		MISS BEAUTIFUL INTERNATIONAL PAGEANT	TARR	DEAD
6	85054504		A NIGHTMARE TO REMEMBER INTERNATIONAL HORROR FILM FESTIVAL, HOSTED BY HORROR HOST MISS MISERY WWW.ANIGHTMARETOREMEMBER.COM	TARR	DEAD
7	85286105		MISS GAMING INTERNATIONAL	TARR	LIVE
8	85097790	3908180	MISS TRAVEL & LEISURE INTERNATIONAL	TARR	LIVE
9	85052575	3904296	MISS ECO-FRIENDLY INTERNATIONAL	TARR	LIVE
10	85045332		MISS TOURISM QUEEN INTERNATIONAL PAGEANT CHINA	TARR	DEAD
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18	78563301	3276587	MISS UNITY INTERNATIONAL	TARR	LIVE
19	78192203	2942919	MISS AFRICA INTERNATIONAL	TARR	LIVE
20	78428403	3010952	MISS GAY INTERNATIONAL	TARR	LIVE
21	78411886	3065115	MISS TAXI INTERNATIONAL	TARR	LIVE

22	78384361	3136574	MISS GLAMOUR INTERNATIONAL	TARR	LIVE
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25	78324359		MISS NIGERIA INTERNATIONAL	TARR	DEAD
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37	77332140		MISS TAHITI TROPIC INTERNATIONAL	TARR	DEAD
38	77136064		MISS LATINA INTERNATIONAL SAL SCORZA @ 2002	TARR	DEAD
39	77098470		MISS BLACK UNIVERSE INTERNATIONAL PAGEANT	TARR	DEAD
40	77041877		MISS AFRICA UNITY INTERNATIONAL MISS AFRICA UNITY INTERNATIONAL	TARR	DEAD
41	77034483		MISS NIGERIA INTERNATIONAL	TARR	DEAD
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44	76668905	3403996	TEEN, MISS, MS. BLACK INTERNATIONAL PAGEANT	TARR	LIVE
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64	73616072	1455802	MISS CARIBBEAN QUEEN BEAUTY PAGEANT INTERNATIONAL	TARR	DEAD
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Detail by Entity Name

Florida Limited Liability Company

MISS G-STRING INTERNATIONAL LLC

Filing Information

Document Number L09000039488

FEI/EIN Number 273809989

Date Filed 04/23/2009

State FL

Status ACTIVE

Effective Date 04/23/2009

Principal Address

1420 SUNNINGDALE LANE
ORMOND BEACH FL 32174

Changed 04/28/2010

Mailing Address

1420 SUNNINGDALE LANE
ORMOND BEACH FL 32174

Changed 04/28/2010

Registered Agent Name & Address

STEWART LAW PLLC
730 S. STERLING AVENUE
SUITE 107
TAMPA FL 33609 US

Address Changed: 04/28/2010

Manager/Member Detail

Name & Address

Title MGRM

EADIE, WILLIAM A
1420 SUNNINGDALE LANE
ORMOND BEACH FL 32174 US

Title MGR

STREET, EDWARD H
1901 BRINSON ROAD, PARADISE PALMS #1
LUTZ FL 33558

EXHIBIT B

7/18/2011 9:19 AM

Annual Reports

Report Year Filed Date

2010	04/28/2010
2011	04/27/2011

Document Images

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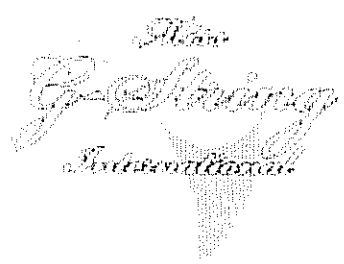
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Word Mark MISS G-STRING INTERNATIONAL

Goods and Services IC 041. US 100 101 107. G & S: Entertainment services in the nature of conducting beauty pageants and talent contests. FIRST USE: 20090429. FIRST USE IN COMMERCE: 20090429

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 09.03.10 - Athletic supporters; Brassieres; Corsets; Girdles; Negligees; Nightgowns; Pajamas; Panties; Sleepwear; Slips (clothing); Underwear

Serial Number 77753000

Filing Date June 5, 2009

Current Filing Basis 1A

Original Filing Basis 1A

Published for Opposition December 7, 2010

Owner (APPLICANT) Miss G-String International LLC LIMITED LIABILITY COMPANY FLORIDA 1420 Sunningdale Lane Ormond Beach FLORIDA 32174

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "G-STRING INTERNATIONAL" APART FROM THE MARK AS SHOWN

Description of Mark The color(s) white, yellow gold, pink and black is/are claimed as a feature of the mark. The mark consists of the stylized wording "MISS G-STRING INTERNATIONAL" with the wording "G-STRING" in yellow gold. The

word "MISS" in white is above the word "G-STRING" and the word "INTERNATIONAL" in white is below "G-STRING". All of the wording is outlined in black. All of the words are superimposed on a woman's pink undergarment.

Type of
Mark SERVICE MARK
Register PRINCIPAL
Live/Dead
Indicator LIVE

REGISTERED TRADEMARK SERVICE MARK FREE FORM DRAWING SEARCHED TO FILE

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Detail by Entity Name

Florida Limited Liability Company

THE WORLDS PAGEANTS, LLC

Filing Information

Document Number L09000043609
FEI/EIN Number NONE
Date Filed 05/05/2009
State FL
Status INACTIVE
Last Event ADMIN DISSOLUTION FOR ANNUAL REPORT
Event Date Filed 09/24/2010
Event Effective Date NONE

Principal Address

1005 MABBETTE STREET
KISSIMMEE FL 34741 US

Mailing Address

1005 MABBETTE STREET
KISSIMMEE FL 34741 US

Registered Agent Name & Address

CORPORATION SERVICE COMPANY
1201 HAYS STREET
TALLAHASSEE FL 32301 US

Manager/Member Detail

Name & Address

Title MGRM

WITGES, JOHN
1005 MABBETTE STREET
KISSIMMEE FL 34741 US

Annual Reports

No Annual Reports Filed

Document Images

[05/05/2009 -- Florida Limited Liability](#)[View image in PDF format](#)**EXHIBIT D**

7/18/2011 10:55 AM

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ESTTA Tracking number: **ESTTA412971**

Filing date: **06/06/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	The Worlds Pageants, LLC
Granted to Date of previous extension	06/05/2011
Address	1005 Mabbette Street Kissimmee, FL 34741 UNITED STATES

Attorney information	THOMAS T AQUILLA AQUILLA PATENTS & MARKS PLLC 221 COE HILL ROAD CENTER HARBOR, NH 03226 UNITED STATES info@aquillapatents.com Phone:6032539474
----------------------	---

Applicant Information

Application No	77753000	Publication date	12/07/2010
Opposition Filing Date	06/06/2011	Opposition Period Ends	06/05/2011
Applicant	Miss G-String International LLC 1420 Sunningdale Lane Ormond Beach, FL 32174 UNITED STATES		

Goods/Services Affected by Opposition

Class 041. First Use: 2009/04/29 First Use In Commerce: 2009/04/29 All goods and services in the class are opposed, namely: Entertainment services in the nature of conducting beauty pageants and talent contests

Grounds for Opposition

Deceptiveness	Trademark Act section 2(a)
False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Mark Cited by Opposer as Basis for Opposition

U.S. Registration No.	2037202	Application Date	03/27/1996
Registration Date	02/11/1997	Foreign Priority Date	NONE

Word Mark	MISS NUDE INTERNATIONAL
Design Mark	
Description of Mark	NONE
Goods/Services	Class 041. First use: First Use: 1991/06/00 First Use In Commerce: 1991/06/00 entertainment services in the nature of promoting and conducting beauty pageants

Attachments	RDP-701_NotOpp.pdf (4 pages)(422836 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Thomas T. Aquilla/
Name	THOMAS T AQUILLA
Date	06/06/2011

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Application of Miss G-String International LLC)	
Serial No. 77/753,000)	Published December 7, 2010
Filed: June 5, 2009)	in Class 041
For: "MISS G-STRING INTERNATIONAL")	

COMMISSIONER OF TRADEMARKS
UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

ATTN: BOX TTAB

NOTICE OF OPPOSITION

THE WORLDS PAGEANTS LLC., a Corporation organized under and according to the laws of the State of Florida, having its principal place of business at 1005 Mabbette Street, Kissimmee, FL 34741, by its attorney, THOMAS T. AQUILLA of Aquilla Patents & Marks PLLC, believes it will be damaged by the grant of a registration to MISS G-STRING INTERNATIONAL LLC, located at 1420 Sunningdale Lane, Ormond Beach, FL 32174 ("Applicant"), based on Application Serial No. 77/753,000 for the mark "MISS G-STRING INTERNATIONAL" filed June 5, 2009, and hereby gives notice of its intention to oppose the registration of the mark.

FACTS

1. Opposer has been in the business of providing entertainment services, including advertising, promoting and conducting beauty pageants, and has used the mark "MISS NUDE INTERNATIONAL" in interstate commerce well prior to Applicant's filing date.

2. Opposer is the assignee of U.S. Registration No. 2,037,202 issued February 11, 1997 for the mark "MISS NUDE INTERNATIONAL" for entertainment services in the nature of promoting and conducting beauty pageants in International Class 041. This registration is valid, incontestable and enforceable.

4. As a result of the use, promotion and advertising of Opposer's "MISS NUDE INTERNATIONAL" mark for the services identified above, Opposer's mark has acquired significant goodwill. Opposer's "MISS NUDE INTERNATIONAL" mark identifies and distinguishes its services from the services of others.

5. On June 5, 2009, Applicant filed an application for the mark "MISS G-STRING INTERNATIONAL" for services as follows: "Entertainment services in the nature of conducting beauty pageants and talent contests" in International Class 041.

6. The similarity of Applicant's "MISS G-STRING INTERNATIONAL" mark to Opposer's "MISS NUDE INTERNATIONAL" mark is evident from a simple comparison of the marks, and the services for which Applicant's mark is intended to be used are closely related to Opposer's services.

7. In view of the similarity of the respective marks and the related nature of the services of the respective parties, it is alleged that Applicant's mark so resembles Opposer's mark as to be likely to cause confusion or to cause mistake or to deceive.

8. The use of the mark sought to be registered by Applicant is likely to cause confusion or mistake in the minds of consumers and lead consumers and prospective purchasers to believe Applicant's services as designated are services of Opposer, or in some way backed by, sponsored by, franchised by, approved by, associated with, or otherwise connected with the good name and reputation of Opposer, to the damage and injury of the purchasing public, and to the damage and injury of Opposer and its goodwill in the "MISS NUDE INTERNATIONAL" mark.

9. Opposer will be injured and damaged by the granting to Applicant of the registration for the mark for which registration is sought because such mark, when applied to the services of Applicant:

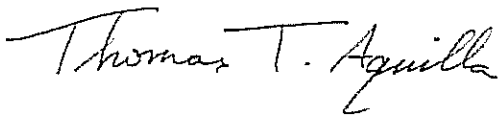
- a. is likely to cause confusion or to cause mistake or to deceive;
- b. falsely suggests a connection with Opposer, giving Applicant the unqualified right to pass off its services as those of Opposer;
- c. will damage Opposer's valuable goodwill in its "MISS NUDE INTERNATIONAL" mark; and
- d. threatens Opposer's right to expand the scope of use of its marks to related, analogous or equivalent items and results in injury to Opposer's established rights in and to its marks.

WHEREFORE, Opposer files this Notice of Opposition and prays that registration of Application Serial No. 77/753,000 for the mark "MISS G-STRING INTERNATIONAL" be denied and that this Opposition be sustained in favor of Opposer.

Payment in the amount of \$300 for the filing fee for the Notice of Opposition is included with this transmittal.

Favorable consideration of this Request is earnestly requested.

Respectfully Submitted:
THE WORLDS PAGEANTS LLC



By: _____ Dated: June 6, 2011

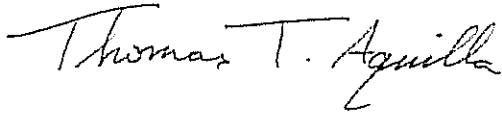
Thomas T. Aquilla, Reg. No. 43,473
Attorney for Petitioner
AQUILLA PATENTS & MARKS, PLLC
221 Coe Hill Road
Center Harbor, NH 03226
(603) 253-9474 • (888) 503-2508 (fax)

e-mail: info@aquillapatents.com

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing NOTICE OF OPPOSITION has been served on William Eadie of Miss G-String International LLC, by mailing said copy on June 6, 2011, via First Class Mail, postage prepaid to:

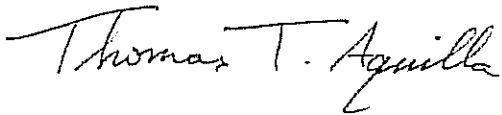
MISS G-STRING INTERNATIONAL LLC
1420 Sunningdale Lane
Ormond Beach, FL 32174



Attorney for Opposer
Signed 6/6/2011

Designation of Domestic Representative

Attorney Thomas T. Aquilla, whose postal address is 221 Coe Hill Road, Center Harbor, NH 03226, is hereby designated THE WORLDS PAGEANTS LLC's representative upon whom notice or process in this proceeding may be served.



Attorney for Opposer
Signed 6/6/2011

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Florida Profit Corporation

R & D PROMOTIONS, INC.

Filing Information

Document Number P00000112629
FEI/EIN Number 651070494
Date Filed 12/04/2000
State FL
Status INACTIVE
Last Event ADMIN DISSOLUTION FOR ANNUAL REPORT
Event Date Filed 09/16/2005
Event Effective Date NONE

Principal Address

1473 HEATHER WAY
KISSIMMEE FL 34744

Changed 10/01/2004

Mailing Address

1473 HEATHER WAY
KISSIMMEE FL 34744

Changed 10/01/2004

Registered Agent Name & Address

CARDOSO, GRACINDA
1473 HEATHER WAY
KISSIMMEE FL 34744

Name Changed: 10/01/2004

Address Changed: 10/01/2004

Officer/Director Detail

Name & Address

Title PRES

CARDOSO, GRACINDA
1473 HEATHER WAY
KISSIMMEE FL 34744

Annual Reports

EXHIBIT F

7/18/2011 10:56 AM

Report Year Filed Date

2002	03/07/2002
2003	05/27/2003
2004	10/01/2004

Document Images

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Typed Drawing

Word Mark MISS NUDE INTERNATIONAL
Goods and Services IC 041. US 100 101 107. G & S: entertainment services in the nature of promoting and conducting beauty pageants. FIRST USE: 19910600. FIRST USE IN COMMERCE: 19910600
Mark Drawing Code (1) TYPED DRAWING
Serial Number 75079154
Filing Date March 27, 1996
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition November 19, 1996
Registration Number 2037202
Registration Date February 11, 1997
Owner (REGISTRANT) Huggy Bear Productions, Inc. CORPORATION NEW YORK 5923 South Street, Suite 1
P.O. Box 158 Auburn NEW YORK 13021
(LAST LISTED OWNER) R&D PROMOTIONS, INC. CORPORATION FLORIDA 1005 MABETTE
STREET KISSIMMEE FLORIDA 34741
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record THOMAS T. AQUILLA
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "NUDE INTERNATIONAL" APART FROM THE MARK AS SHOWN
Type of Mark SERVICE MARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070416.

Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070416.
Renewal 1ST RENEWAL 20070416
Live/Dead
Indicator LIVE

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ESTTA Tracking number: **ESTTA386920**

Filing date: **01/06/2011**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Applicant:	Miss G-String International LLC
Application Serial Number:	77753000
Application Filing Date:	06/05/2009
Mark:	MISS G-STRING INTERNATIONAL
Date of Publication	12/07/2010

First 30 Day Request for Extension of Time to Oppose

Pursuant to 37 C.F.R. Section 2.102, The Worlds Pageants, LLC, 1005 Mabbette Street, Kissimmee, FL 34741, UNITED STATES, a LLC, organized under the laws of Florida, respectfully requests that it be granted a 30-day extension of time to file a notice of opposition against the above-identified mark.

The time within which to file a notice of opposition is set to expire on 01/06/2011. The Worlds Pageants, LLC respectfully requests that the time period within which to file an opposition be extended until 02/05/2011.

Respectfully submitted,

/Thomas T. Aquilla/

01/06/2011

Thomas T. Aquilla

Aquilla Patents & Marks, PLLC

221 Coe Hill Road

Center Harbor, NH 03226

UNITED STATES

info@aquillapatents.com

603-253-4790

ESTTA Tracking number: **ESTTA391492**

Filing date: **02/03/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Applicant:	Miss G-String International LLC
Application Serial Number:	77753000
Application Filing Date:	06/05/2009
Mark:	MISS G-STRING INTERNATIONAL
Date of Publication	12/07/2010

60 Day Request for Extension of Time to Oppose for Good Cause

Pursuant to 37 C.F.R. Section 2.102, The Worlds Pageants, LLC, 1005 Mabbette Street, Kissimmee, FL 34741, UNITED STATES respectfully requests that he/she/it be granted an additional 60-day extension of time to file a notice of opposition against the above-identified mark for cause shown .

Potential opposer believes that good causes are established for this request by:

- The potential opposer needs additional time to investigate the claim
- The potential opposer needs additional time to confer with counsel

The time within which to file a notice of opposition is set to expire on 02/05/2011. The Worlds Pageants, LLC respectfully requests that the time period within which to file an opposition be extended until 04/06/2011.

Respectfully submitted,
/Thomas T. Aquilla/
02/03/2011

Thomas T. Aquilla
Aquilla Patents & Marks, PLLC
221 Coe Hill Road
Center Harbor, NH 03226
UNITED STATES
info@aquillapatents.com
603-253-4790

ESTTA Tracking number: **ESTTA401372**

Filing date: **04/04/2011**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Applicant: **Miss G-String International LLC**
Application Serial Number: **77753000**
Application Filing Date: **06/05/2009**
Mark: **MISS G-STRING INTERNATIONAL**
Date of Publication: **12/07/2010**

**60 Day Request for Extension of Time to Oppose Upon Extraordinary
Circumstances**


Pursuant to 37 C.F.R. Section 2.102, The Worlds Pageants, LLC, 1005 Mabbette Street, Kissimmee, FL 34741, UNITED STATES respectfully requests that he/she/it be granted an additional 60-day extension of time to file a notice of opposition against the above-identified mark for extraordinary circumstances shown. Potential opposer believes that extraordinary circumstances are established for this request by:

- Opposer's principal is currently out of the country, attending to a terminally ill parent, who is very near death.

The time within which to file a notice of opposition is set to expire on 04/06/2011. The Worlds Pageants, LLC respectfully requests that the time period within which to file an opposition be extended until 06/05/2011.

Respectfully submitted,
/Thomas T. Aquilla/
04/04/2011

Thomas T. Aquilla
Aquilla Patents & Marks, PLLC
221 Coe Hill Road
Center Harbor, NH 03226
UNITED STATES
info@aquillapatents.com
6032539474



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NEW HAMPSHIRE BAR ASSOCIATION

Bar News - May 13, 2011

Supreme Court Orders

In accordance with RSA 547:38, Probate Court Judge David D. King was certified as eligible to sit in the district court. Chief Justice Dalianis assigns Judge King to hear cases in the district court, as directed by District Court Administrative Judge Edwin W. Kelly.

DATE: April 11, 2011
ATTEST: Eileen Fox, Clerk of Court
Supreme Court of New Hampshire

ADM-2010-0169 In the Matter of Laird J. Heal, Esq.

On February 22, 2011, Laird J. Heal, Esq., was suspended from the practice of law in New Hampshire for failing to file his 2010 annual trust accounting certificate and failing to pay late fees assessed for late filing of his certificate. Attorney Heal has now filed his 2010 annual trust accounting certificate and paid the late fees assessed. Attorney Heal has filed a motion to be reinstated to the practice of law in New Hampshire.

Attorney Heal's motion for reinstatement is granted. Attorney Heal is reinstated to the practice of law in New Hampshire effective immediately.

Duggan, Hicks and Conboy, JJ., concurred.
DATE: April 12, 2011
ATTEST: Eileen Fox, Clerk

ADM-2011-0025 In the Matter of James Schwellenbach, Esq.

On February 10, 2011, this court issued an order requiring Attorney Schwellenbach to file his certificate of compliance with the minimum legal education requirements for the reporting year ending June 30, 2010, and to pay the late fees assessed, or be suspended from the practice of law in New Hampshire.

Attorney Schwellenbach has neither responded to the show cause order, nor brought himself into compliance with Supreme Court Rule 53.7(A)(2).

Attorney Schwellenbach is hereby suspended from the practice of law in New Hampshire. The court hereby requires that Attorney Schwellenbach's trust accounts and other financial records be audited at his expense.

Attorney Schwellenbach is ordered to notify his clients in writing that he has been suspended from the practice of law in New Hampshire and to notify the Attorney Discipline Office by Friday, May 13, 2011, that he has completed this task. On or before Monday, May 13, 2011, the Attorney Discipline Office shall advise the court if it believes that an attorney should be appointed to make an inventory of Attorney Schwellenbach's files and to take action to protect the interests of his clients.

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sent to the attorney who is the subject of the charge of fraud, malpractice or contempt of court. The clerk's notice to the ADO of a charge of fraud, malpractice or contempt of court against an attorney shall not constitute a grievance or referral for purposes of Supreme Court Rules 37 and 37A.

The Supreme Court designates the ADO as the entity responsible for inquiring into such charges on behalf of the court. Upon receipt of notice from a clerk, the ADO shall inquire into the charge to determine whether further action should be taken. Such inquiry shall be governed by Supreme Court Rule 37A(II)(a)(2)(B).

If the ADO concludes that a complaint should not be docketed against the attorney, it shall notify the attorney of its decision and send a copy of its notification to the clerk of the Supreme Court. The ADO's notification shall advise the attorney that the matter is deemed confidential under Rule 37A(II)(a)(2)(B).

If, after providing the attorney who is the subject of a charge with an opportunity to file a response, the ADO concludes that the charge should be docketed as a complaint, it shall so notify the attorney and send a copy of the notification to the clerk of the Supreme Court. Thereafter, further proceedings shall be governed by Rules 37 and 37A.

April 25, 2011

ATTEST: Eileen Fox, Clerk of Court
Supreme Court of New Hampshire

ADM-2010-0155
In the Matter of Thomas T. Aquilla, Esq.

On January 6, 2011, Thomas T. Aquilla was suspended from the practice of law in New Hampshire for failing to file his 2010 annual trust accounting compliance certificate and failing to pay late fees assessed for late filing of his certificate. Attorney Aquilla has filed his 2010 annual trust accounting certificate and paid the late fees assessed. He has requested that he be reinstated to the practice of law in New Hampshire. Attorney Aquilla's request for reinstatement is granted. Attorney Aquilla is reinstated to the practice of law in New Hampshire, effective immediately.

Dalianis, C.J., and Duggan, Hicks, Conboy and Lynn, JJ., concurred.

DATE: April 26, 2011

ATTEST: Eileen Fox, Clerk

ADM-2010-0149
In the Matter of Elizabeth VanDerwalker

On February 24, 2011, Elizabeth VanDerwalker, was suspended from the practice of law in New Hampshire for failure to complete the practical skills course within two years of the date of her admission to the bar, as required by Rule 42(7).

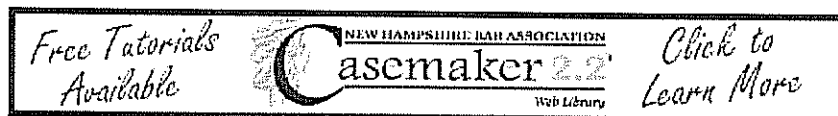
Attorney VanDerwalker filed a motion for reinstatement in which she requests an extension of time to complete the practical skills course. Attorney VanDerwalker's motion for reinstatement is granted on the condition that Attorney VanDerwalker take and complete the December 2011 practical skills course. Attorney VanDerwalker is reinstated to the practice of law, effective immediately.

Upon completion of the practical skills course, Attorney VanDerwalker shall file an affidavit stating that she completed the course. Failure to take and complete the course by December 2011 may result in her suspension from the practice of law.

Dalianis, C.J., and Duggan, Hicks, Conboy and Lynn, JJ., concurred.

DATE: April 26, 2011

ATTEST: Eileen Fox, Clerk



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